110TH CONGRESS 2D SESSION

S. 2887

To direct the Secretary of Homeland Security to conduct a survey to determine the level of compliance with national consensus standards and any barriers to achieving compliance with such standards, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 17, 2008

Mr. Brown (for himself, Mr. Kerry, and Mr. Lieberman) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To direct the Secretary of Homeland Security to conduct a survey to determine the level of compliance with national consensus standards and any barriers to achieving compliance with such standards, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Firefighter Fatality
- 5 Reduction Act of 2008".
- 6 SEC. 2. FINDINGS.
- 7 Congress makes the following findings:

- (1) Each year in the United States, over 100 firefighters die in the line of duty, while an additional tens of thousands of firefighters are injured.
 - (2) The Federal Government has a vested interest in protecting firefighter health and safety, as it relies on local fire departments to efficiently and effectively implement the National Response Framework in the response to major disasters.
 - (3) Adequate training, proper personal protective equipment, safe staffing levels, safe operating procedures, and physical and mental fitness of firefighters can reduce avoidable firefighter fatalities.
 - (4) The fire services, in conjunction with Government agencies and interested private-sector parties, has partnered with standards-making bodies to develop national consensus standards for safe fire department operations and fire fighting capabilities.
 - (5) Such standards are widely respected and promoted by all facets of the fire service to better ensure firefighter health and safety.
 - (6) Through its Firefighter Fatality Investigation and Prevention Program, the National Institute for Occupational Safety and Health has identified the failure to follow specific national consensus

- standards as a contributing factor in many firefighter deaths.
- (7) A comprehensive accounting of fire department compliance with national consensus standards
 would help policy makers seeking to enhance public
 safety and reduce avoidable firefighter fatalities.

7 SEC. 3. DEFINITIONS.

8 In this Act—

13

14

15

16

17

18

19

20

21

22

- 9 (1) the term "fire department" includes a ca10 reer, volunteer, or combination fire department oper11 ated by the Federal Government, a State, or a local
 12 government;
 - (2) the term "fire service" has the meaning given that term in section 4 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2203);
 - (3) the term "national consensus standards" means the most recently issued national consensus standards for staffing, training, safe operations, personal protective equipment, and fitness relating to fire department operations and firefighting practices, as of the date of the enactment of this Act.
 - (4) the term "Secretary" means the Secretary of Homeland Security; and

(5) the term "Task Force" means the Task
Force to Enhance Firefighter Safety established
under section 5(a).
SEC. 4. SURVEY BY THE DEPARTMENT OF HOMELAND SE
CURITY.
(a) Survey Required.—Not later than 120 days
after the date of enactment of this Act, the Secretary shall
begin to conduct a survey of each fire department located
in the United States, under which the Secretary shall de-
termine whether each such fire department is in compli-
ance with national consensus standards.
(b) Report.—Not later than 2 years after the date
of enactment of this Act, the Secretary shall submit to
Congress a report on the findings of the survey required
under subsection (a), including an accounting of whether
each fire department located in the United States is in
compliance with national consensus standards.
SEC. 5. ESTABLISHMENT OF TASK FORCE TO ENHANCE
FIREFIGHTER SAFETY.
(a) ESTABLISHMENT.—Not later than 120 days after
the date on which the Secretary submits the report to Con-
gress required under section 4(b), the Secretary shall es-
tablish a task force to be known as the Task Force to
Enhance Firefighter Safety.

(b) Membership.—

1	(1) In general.—The members of the Task
2	Force shall be appointed by the Secretary and shall
3	include—
4	(A) representatives of national organiza-
5	tions representing firefighters and fire chiefs;
6	(B) individuals representing standards-set-
7	ting and accrediting organizations relating to
8	fire department operations and firefighting
9	practices, including representatives from the
10	voluntary consensus codes and standards devel-
11	opment community; and
12	(C) other individuals as the Secretary de-
13	termines to be appropriate.
14	(2) Representatives of other depart-
15	MENTS AND AGENCIES.—The Secretary may invite
16	representatives of other departments and agencies of
17	the Federal Government that have an interest in the
18	fire service to participate in the meetings and other
19	activities of the Task Force.
20	(3) Number; terms of service; pay and al-
21	LOWANCES.—The Secretary shall determine the
22	number, terms of service, and pay and allowances of
23	members of the Task Force appointed by the Sec-
24	retary, except that a term of service of any such

member may not exceed 2 years.

- 1 (c) Responsibilities.—The Task Force shall de-
- 2 velop a plan to enhance firefighter safety by increasing
- 3 fire department compliance with national consensus stand-
- 4 ards. In developing the plan under this subsection, the
- 5 Task Force shall consider ways in which the Federal Gov-
- 6 ernment, States, and local governments can promote, en-
- 7 courage, or require fire departments to comply with na-
- 8 tional consensus standards.
- 9 (d) Report to Congress.—Not later than 1 year
- 10 after the date on which the Secretary establishes the Task
- 11 Force, the Task Force shall submit to Congress and the
- 12 Secretary a report containing the findings and rec-
- 13 ommendations of the Task Force together with the plan
- 14 described in subsection (c).

 \bigcirc